



ATTACHMENT A

Remarks

In the current Office Action, the previous Final Office Action of August 13, 2003, has been vacated and a ground of rejection has been advanced. Applicant hereby exercises the option of filing a reply under 37 C.F.R. 1.111, given that the current Office Action is non-final.

Turning to the Office Action itself, claim 22 has been rejected under 35 U.S.C. 112, second paragraph. The objection concerns the limitation "the logical channels." In order to expedite the prosecution, the word "logical" has been deleted in claim 22 so that the claim simply refers to "the channels." There is, of course, sufficient antecedent basis for this recitation in parent claim 19. It is noted that in the phrase "logical channels" is used in other claims (e.g. claim 1) and it is respectfully submitted that the meaning of the phrase is clear from the context in which it is used in these other claims.

Claims 19, 23-25, 28 and 29 have been rejected under 35 U.S.C. 102(e) as being "anticipated by Schein (US Patent No. 6,323,911)." Claims 1-12 and 22 have also been rejected by 35 U.S.C. 103(a) as being unpatentable over the Schein '911 patent "in view of Kostreski et al (US Patent No. 5,734,589)." Further, claims 20, 21, 26 and 27 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the Schein '911 patent "in view of Schein (US Patent No. 6,002,394)." These rejections are respectfully traversed.

In rejecting claim 19, the Examiner contends that the Schein '911 patent "discloses a computer system to dynamically manage favorite channels (Fig. 3) based on user specified theme (col. 12, lines 26-65)." The Examiner further "cites Fig. 9A-9F; specifically, ---the system will then **automatically** search the guide to determine which programs include the specified performers. In addition, **"the system may be configured to continuously perform this search as new programs appear in the guide each day"** (emphasis in the original). The Examiner further states that in doing so "the system automatically adds programs that correspond to user criteria/theme from the master/general guide into the favorite channel list; Col. 12, lines 55-62" and further "cites Col. 12, lines 12-20" and "Col. 12, lines 55-57."

A basic assertion here with respect to the teachings of the Schein '911 patent is respectfully traversed. Specifically, it is respectfully submitted that the reference does not identify "channels." In this regard, in the portion of the patent quoted by the Examiner, the reference is to programs, not channels. The Schein '911 patent is basically concerned with a search for programs that might be similar to a selected favorite program. The reference has nothing to do with creating and managing a favorite channels list. Contrary to the contention of the Examiner, there is no teaching of any kind of automated adding of channels without user intervention, as claimed.

Throughout the Office Action, "channel" and "program" appear to be deemed the same thing. It is respectfully submitted they clearly are not the same thing. A "channel" has multiple temporally arranged programs. A "program" is simply a single program within an associated channel. There is no way to effectively surf channels by means of a list of programs because the programs might not be on at the same time. Moreover, selection of a program does not necessarily cause current selection of a channel because the program might not be available at the time it is selected. However, one can easily move from channel to channel in a list of favorite channels. Thus, as indicated above, it is respectfully submitted that programs and channels are fundamentally different things, and cannot be equated as appears to be done here.

In summary, it is respectfully submitted that the Schein '911 patent simply does not disclose the present invention as claimed.

Turning to the rejections based on the combination of the Schein '911 patent and the Kostreski et al patent, the latter is cited as teaching mapping favorite channel lists to corresponding logical or virtual channels. It is respectfully submitted that the Kostreski et al patent does not provide such a teaching. In this regard, while some aspects of mapping are disclosed in the reference, there is no mention of any type of favorite channel in the Kostreski et al patent. Moreover, even if the Kostreski et al patent included such a teaching, the reference lacks the basic teaching indicated above as being missing from the Schien '911 patent: Thus, it is respectfully submitted that, neither of the references nor any fair combination thereof, discloses or suggests the subject matter of the base claims 1,8,19,24 and 25.

With respect to the dependent claims, a number of contentions have been made with respect to these claims with which applicant disagrees. However, these claims are patentable for at least the reasons set forth above in support of the patentability of the claims present thereof.

Allowance of the application in its present form is respectfully solicited, respectfully submitted.



ATTACHMENT B
Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Original) A computerized system for managing favorite channels based on a user specified theme, the computerized system comprising:
one or more favorite channel lists, the favorite channel lists comprising one or more logical channels relating to the user specified theme, wherein the computerized system identifies the logical channels showing an event of the user specified theme and automatically adds each of the logical channels to the favorite channel list without user intervention; and
a favorites database for storing one or more favorite channel lists.
2. (Original) The computerized system of claim 1, further comprising an EPG content database storing a plurality of events available on one or more channels for a period of time.
3. (Original) The computerized system of claim 2, wherein the user specified theme corresponds to a theme field of the events in an electronic program guide (EPG) content database.
4. (Original) The computerized system of claim 3, further comprising an EPG data service for managing the EPG content database, the EPG data service providing functions for loading electronic program guide-type data from one or more data services.
5. (Original) The computerized system of claim 1, further comprising a favorites service providing one or more user interfaces and a plurality of management functions for each one of the favorite channel lists.
6. (Original) The computerized system of claim 5, wherein the management functions include at least one function selected from the group of functions consisting of: adding a favorite event to one of the favorite channel lists, removing a favorite event from one of the favorite channel lists, and selecting a favorite event from one of the favorite channel lists.

7. (Original) The computerized system of claim 1, further comprising a channel map service for determining a physical channel number and a corresponding physical device for each one of the logical channels.
8. (Original) A computerized system for managing favorite channels comprising:
one or more favorite channel lists, the favorite channel lists comprising one or more logical channels relating to a user specified theme, wherein the computerized system identifies the logical channels showing an event of the user specified theme and automatically adds such logical channels to the favorite channel list without user intervention;
application user interfaces to allow a user to access the computerized system;
channel map services to map a logical channel number in the favorite channel list to a physical channel number on a physical device available to the computerized system;
favorites services providing user interfaces and management functions for each one of the favorite channel lists; and
electronic program guide content services to determine what is programmed on the logical channel and to call channel map services to determine the corresponding physical channel and physical device.
9. (Original) The computerized system of claim 8, further comprising a channel map database for storing an association between each one of the logical channels and a physical channel and a corresponding physical device.
10. (Original) The computerized system of claim 8, wherein the management functions of the favorites service include at least one function selected from the group of functions consisting of: adding one of the logical channels to one of the favorite channel lists, removing one of the logical channels from one of the favorite channel lists, and selecting one of the logical channels from one of the favorite channel lists.
11. (Original) The computerized system of claim 8, further comprising a favorites database for storing one or more favorite channel lists.
12. (Original) The computerized system of claim 8, further comprising an electronic program guide content database for storing events available on the one or more channels for a period of time.

13.-18. (Cancelled)

19. (Original) A method of using a computerized system to dynamically manage favorite channel lists relating to a user specified theme, the method comprising the steps of:

identifying one or more channels showing an event of a user specified theme, wherein the step of identifying is achieved by matching one or more event themes from an electronic program guide (EPG) content database to the user-specified theme, and

automatically adding each one of the channels to a favorite channel list, wherein such adding does not require user intervention.

20. (Original) The method of claim 19, wherein the step of identifying is achieved by matching one or more event sub-themes from an EPG content database to the user-specified theme.

21. (Original) The method of claim 19, wherein the step of identifying is achieved by matching one or more generic event sub-themes from an EPG content database to the user-specified theme.

22. (Currently Amended) The method of claim 19, wherein the ~~logical~~ channels identified during the step of identifying depend on an update frequency of the EPG content database and a number of time slots included in the favorite channel list.

23. (Original) The method of claim 19, wherein the step of identifying is achieved by matching one or more words in a event description from the EPG content database to the user-specified theme.

24. (Original) A computer comprising:

a processor;

a computer-readable medium; and

a plurality of computer instructions executed from the computer readable medium by the processor for performing the steps of identifying one or more channels showing an event of a

user specified theme and automatically adding each one of the channels to a favorite channel list without user intervention.

25. (Original) A computer readable medium having computer executable instructions stored thereon for execution on a computer, the computer executable instructions comprising:

identifying one or more channels showing an event of a user specified theme, wherein identifying is achieved by matching one or more event themes from an electronic program guide (EPG) content database to the user-specified theme; and

automatically adding each one of the channels to a favorite channel list, wherein such adding does not require user intervention.

26. (Original) The computer readable medium of claim 25, wherein identifying is achieved by matching one or more event sub-themes from an EPG content database to the user-specified theme.

27. (Original) The computer readable medium of claim 25, wherein identifying is achieved by matching one or more generic event sub-themes from an EPG content database to the user-specified theme.

28. (Original) The computer readable medium of claim 25, wherein the channels identified during the step of identifying depend on an update frequency of the EPG content database and a number of time slots included in the favorite channels list.

29. (Original) The computer readable medium of claim 25, wherein identifying is achieved by matching one or more words in an event description from the EPG content database to the user-specified theme.